



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

SEP 25 2009

OFFICE OF
SOLID WASTE AND
EMERGENCY RESPONSE

The Honorable Harry Teague
U.S. House of Representatives
Washington, D.C. 20515

Dear Representative Teague:

Thank you for your letter of August 27, 2009, regarding U.S. Environmental Protection Agency's (EPA) decision to regulate coal combustion residuals (CCR) as either a non-hazardous waste under Subtitle D or a hazardous waste under Subtitle C of the Resource Conservation and Recovery Act (RCRA). In your letter, you suggested that EPA take into consideration that states currently have programs in place that provide the regulatory infrastructure to manage coal ash, oversee its use for beneficial applications, and provide safe environmentally protective disposal options.

EPA is evaluating these issues as part of our rulemaking process for the management of CCR. EPA intends to issue a proposal by the end of the calendar year. We will carefully consider your comments, and we will include them in the docket for this rulemaking.

Again, thank you for your letter. If you have further questions, please contact me or your staff may call Amy Hayden in EPA's Office of Congressional and Intergovernmental Relations at 202-564-0555.

Sincerely,

A handwritten signature in black ink, appearing to read "Mathy Stanislaus", is written over a horizontal line.

Mathy Stanislaus
Assistant Administrator